

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael Louie on 2 March 2005.

2. The application has been amended as follows: Renumber the second --Claim 62-- as --Claim 65--.

This amendment is necessary to correct a typographical error in the claim numbering.

#### *Allowable Subject Matter*

3. Claims 1-17, 19-29, 41-43, 49, & 56-65 are allowed.

4. The following is an examiner's statement of reasons for allowance: A thorough search of the prior art fails to disclose any reference or references, which, taken alone or in combination, teach or suggest, in combination with the other limitations, a locator service for allowing a person at the gaming machine to locate, via the gaming machine, a first person at a first gaming machine.

Examiner interprets this to limitation to mean a system whereby a player may query a database or similar construct regarding the location of another player. This is distinct from using the disclosed messaging system to query the player concerning his location. Thus, a player's query of "Computer, where is Joe?" would be within the metes and bounds of this claim, but the player's query of "Joe, where are you?" would not.

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There are numerous prior art references that teach a locator service. The Unix “who” command provides, among other things, a location of people logged onto the computer network. This command has been in use since at least the early 1980’s. Thus the implementation of Applicant’s invention would be extremely simple. Simplicity does not, however, equate to obviousness. Applying the *Graham v. John Deere* standards requires some suggestion to combine references in order to make out a case for obviousness. While Examiner could make general observations concerning the size of casinos and the frustration involved in trying to find a member of a party in a casino, to do so would require an impermissible level of hindsight. Thus Examiner cannot justify making the rejection using well-known utilities such as the who command.

There are prior art systems for locating people in buildings and providing this information to a requestor. Shelton et al. (US 201/0011954) and Maeda et al. (US Patent Number 6,226,589) are two examples. But these systems work on a different principle of operation than Applicant’s invention. These require the person being located to carry around a radio transmitter or similar device in order to provide location information. Examiner could not take the suggestion that people like to find the location other people from these references and apply it to Applicant’s claims without changing the principle of operation of these references.

Rabe (US Patent Number 6,640,184) does teach a system that is very similar to Applicant’s. Rabe teaches determining the location of a person by determining which computer terminal they are using and providing the location of that terminal. Rabe is not, however, prior art.

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5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corbett B. Coburn whose telephone number is (571) 272-4447. The examiner can normally be reached on 8-5:30, Monday-Friday, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jessica Harrison can be reached on (571)272-4449. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



cbc

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